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Attorneys for Plaintiff
CHRISTINE DOUGHERTY

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHRISTINE DOUGHERTY,

Plaintiff,

v.

AMCO INSURANCE COMPANY
and DOES ONE through TWENTY,
Inclusive,

Defendants.

NO. C 07-01140 MHP

**DECLARATION OF DAVID M. PORTER
IN SUPPORT OF EX PARTE REQUEST
TO CONTINUE HEARING ON MOTION
FOR SUMMARY JUDGMENT**

1 I, DAVID M. PORTER, declare:

2
3 I am one of the attorneys of record for Plaintiff Christine Dougherty and am
4 licensed to practice law in California.

5 1. I received Defendant's Motion For Summary Judgment on Monday, June 25,
6 2007. As there has been absolutely no discovery conducted yet in this case, I
7 immediately telephoned counsel for Defendant, Stephen J. Liberatore, on Monday
8 June 25, 2007, and left a voice mail message asking Mr. Liberatore to stipulate to a
9 continuance of the hearing on Defendant's Motion. I never heard back from him.

10 2. On Tuesday, June 26, 2007, I again telephoned Mr. Liberatore, whose voice
11 mail greeting said that he would be out of the office that day, but that he would be back
12 in his office Wednesday, June 27, 2007. I therefore telephoned lead counsel for
13 Defendant, Julian J. Pardini, and left him a voice mail message Tuesday morning,
14 June 26, 2007, asking whether he would stipulate to a continuance of the hearing on
15 Defendant's Motion for Summary Judgment. I never heard back from him.

16 3. On Wednesday morning, June 27, 2007, I again telephoned Mr. Liberatore
17 and again left him a voice mail message asking whether he would stipulate to a
18 continuance of the hearing on his Motion for Summary Judgment. As of 11:30 a.m. on
19 Wednesday, June 27, 2007, I have not heard back from him.

20 I declare under penalty of perjury under the laws of California and the United
21 States that the foregoing is true and correct and, if called as a witness, I could testify
22 competently thereto.

23 Executed at San Francisco, California on June 27, 2007.

24
25 /s/ David M. Porter
DAVID M. PORTER

ATTESTATION

I, STEPHEN M. MURPHY, hereby declare as follows:

I am one of the attorneys of record for Plaintiff Christine Dougherty in this action and am duly authorized to practice law in the State of California.

I hereby attest that concurrence from David M. Porter has been obtained in the filing of this Declaration.

I declare under the penalty of perjury under the laws of California and the United States of America that the foregoing is true and correct and, if called as a witness, I could testify competently thereto.

Executed at San Francisco, California on June 27, 2007.

/s/ Stephen M. Murphy
STEPHEN M. MURPHY